

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA, ex rel.,)	
STEVE M. MCKEE, et al.,)	
Plaintiffs,)	
v.)	
)	No. 04-CV-1664
)	
)	
)	
)	
NOVARTIS PHARMACEUTICALS)	
CORPORATION,)	
)	
Defendant.)	

STIPULATION OF DISMISSAL

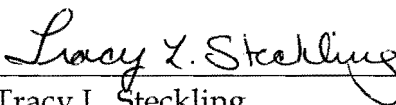
Plaintiff and Relator, Steve M. McKee, by and through his counsel, and pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3730(b)(1) and in accordance with the terms and conditions of the September 29, 2010 Settlement Agreement and the November 30, 2010 Agreement regarding Payment of Attorneys' Fees, Costs and Expenses, hereby stipulates to:

- (1) Dismissal with prejudice as to all of Relator's claims asserted on behalf of the United States against Novartis. Relator additionally stipulates that the Settlement Amount set forth in the Settlement Agreement is fair, adequate and reasonable under all the circumstances and hereby waives his right to

challenge the settlement including the opportunity for a hearing pursuant to 31 U.S.C. § 3730(c)(2)(B); and

- (2) Dismissal with prejudice as to all of Relator's remaining claims with respect to Novartis, including claims for reasonable attorneys' fees, expenses and costs pursuant to 31 U.S.C. § 3730(d).

Respectfully submitted,



Tracy L. Steckling
Counsel for Steve M. McKee

Dated: January 5, 2011

SO ORDERED:

HON. J. LEGROME D. DAVIS
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that on this 5th day of January 2011, a copy of the foregoing Stipulation of Dismissal was sent by First Class United States Mail to:

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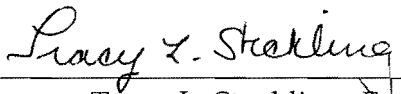
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January 5, 2011



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